

REMARKSClaims 4, 5, and 9

These claims have been amended to correct speech recognition errors generated in the computer of the undersigned. Applicant respectfully submits that the scope of the claims is not changed & that no estoppel results.

Claim 5; rejection under 35 USC 112 par. 1

This rejection is respectfully traversed. The Examiner appears to be attempting to ask the Applicant to restrict his claims to the preferred embodiment. Applicant notes that the specification, page 7, ll. 1-12 says with respect to the preferred embodiment that both stations can have both circuits, but sees no reason why the claim must recite the same.

Art rejections

Applicant notes that the references are many and complex. Therefore Applicant confines his comments to the particular portions cited by the Examiner. Applicant makes no representation as to the teachings of the references in other portions not particularly pointed to by the Examiner.

Art rejections: independent claims 1, 6, 7, 14, and 22

Claims 1 and 7 have been amended to remove the limitation added in the amendment of December 2002 and to add a different limitation. The same limitation is also added to claim 14 and in new claim 22.

These claims now all recite that the real time and non-real time packet data each have a respective non-zero minimum bit rate and a combined bit rate less than a maximum value. Applicants respectfully submit that this limitation distinguishes patentably over the references where non-speech data is transmitted only during pauses in speech data.

Dependent claim 22 adds a similar limitation to claim 15.

Art rejections: claims 12 & 13

Claim twelve recites allocating at least first, second, and third types of data to a single output data stream.

The Examiner now says that this recitation is obvious without any support in the references, all of which relate to speech and data, i.e. TWO types of data. Applicants respectfully submit that this is improper. If the Examiner intends to persist in this rejection, he is respectfully requested to present art supporting this rejection.

Art rejections: claim 15

Claim 15 has been amended to recite that a header indicates both packet and speech data in a single frame. Applicant respectfully submits that this is neither taught nor suggested in the reference.

Art rejections: claim 16 & 21

Claimed 16 recites, *inter alia*, allocating the output data stream to a channel that occupies more than one slot in a transmission time frame. The Examiner has failed to indicate where these recitations are to be found in the several references. Applicant accordingly respectfully submits that the Examiner has failed to make a prima facie case against these claims.

New claim 21 further recites that when the real-time data does not require the full capacity, both real-time and non-real-time data are allocated as a dual mode channel to the output stream. The Examiner has also failed to indicate where this limitation is taught or suggested in the references.

Art rejections: claim 17

Claim 17 recites allocating real-time data and the non-real-time packet data in variable proportions to multiple time segments within a time frame when the real-time data does not require the full capacity of a transmission channel. The Examiner states that these limitations are to be found in various references, without giving any support in any specific references for this assertion. Applicant respectfully submits that this is improper. Clarification is accordingly respectfully requested.

The Examiner's other rejections and/or points of argument not addressed would appear to be moot in view of the foregoing. Nevertheless, Applicant reserves the right to respond to those rejections and arguments and to advance additional arguments at a later date.

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Respectfully submitted,

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